



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

JACK STANTON
DIRECTOR

32 EAST HANOVER STREET
TRENTON, N.J. 08625

LINO F. PEREIRA
Deputy Director

Corporation Trust Company
35 West State Street
Trenton, New Jersey 08608

JUL 27 1982

RE: Universal Oil Products Corporation
Chemical Division

Dear Sirs:

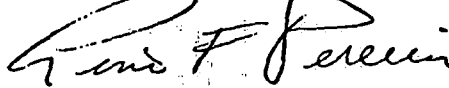
Attached for service upon you as Registered Agent of the Universal Oil Products Corporation is an Administrative Order executed by Arnold Schiffman, Director of the Division of Water Resources, dealing with certain water pollution problems at their East Rutherford site.

Please be further advised that the violations cited in the Order also constitute violations of the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. Under the provisions of said Act you are further directed to initiate the monitoring operations required by the Order. Failure to respond to this notice within ten (10) days of its receipt may result in the Department of Environmental Protection itself performing the monitoring operations specified herein.

Should you fail to respond to this notice and fail to initiate the monitoring operations as required herein, the Department of Environmental Protection may commence legal action against you seeking penalties and reimbursement for all costs incurred. Specifically, failure to comply with this Directive may increase your liability to the Department of Environmental Protection in an amount equal to three times the costs of all expenses incurred in this operation and may cause a first priority claim and lien to be placed upon all your real and personal property in the amount of the Department of Environmental Protection's costs, in accordance with its Spill Compensation and Control Act.

If you have any questions regarding this matter, please
contact Mr. Charles Licata at (609) 984-7933.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lino F. Pereira". The signature is fluid and cursive, with the first name "Lino" and last name "Pereira" clearly distinguishable.

Lino F. Pereira
Deputy Director
Division of Waste Management

tmc

Enclosure

CERTIFIED MAIL: RETURN RECEIPT REQUESTED



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WATER RESOURCES

P. O. BOX CN 029

TRENTON, NEW JERSEY 08625

ARNOLD SCHIFFMAN
DIRECTOR

IN THE MATTER OF:
UNIVERSAL OIL PRODUCTS CORPORATION
CHEMICAL DIVISION

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
: ADMINISTRATIVE ORDER :
: AND :
: DIRECTIVE LETTER :
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

The following FINDINGS are made, and ORDER issued pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection (hereinafter "NJDEP") and duly delegated to the Director of the Division of Water Resources (hereinafter "DWR") by N.J.S.A. 13:1D-1 et seq., N.J.S.A. 13:1B-5 and the New Jersey Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.

FINDINGS

1. Universal Oil Products Corporation Chemical Division (hereinafter "UOP") located at State Highway 17 in East Rutherford operated a facility for manufacturing industrial organic chemicals at this site from the early 1950's to 1980.
2. By late 1980, all UOP owned structures and their contents were demolished and most of the debris was removed. Some of the debris was used as land-fill in order to level the site. The nature and quality of said debris has not been determined.
3. At the request of NJDEP in March 1980, UOP installed on its property six monitoring wells to initiate a ground water monitoring program. On April 9, 1980, DWR sampled at points Nos. 11, 14, 3, 18, 6 and the southern production well. The analytical results of the DWR sampling revealed the following:

Sample Point	11	18	14	3	6	Southern Production Well
Organic Scan (ppb)						
Heptane	10,000	ND	ND	ND	ND	ND
Benzene	50,000 L	470	ND	33	ND	ND
Trichloroethylene	41,000	275	ND	ND	44	5.7
Toluene	32,000	880	52	855	27	ND
Ethylbenzene	3,900	40	ND	ND	ND	ND
M,P-Xylene	6,100	52	ND	ND	ND	ND
O-Xylene	4,000	45	ND	ND	ND	ND
Propylbenzene	640	33	ND	ND	ND	ND
Tetrachloroethylene	ND	50	ND	ND	ND	7.2
1,2-dichloroethylene	ND	ND	ND	ND	ND	20.0
1,1,1-trichloroethane	ND	ND	ND	ND	ND	1.8

ND = Non detected

L = Larger than

- UOP employed the firm of Betz, Converse & Murdock, Inc. (BCM) to conduct a ground water analysis program. Between March 31 and April 19, 1980 BCM took various ground water samples. Results of these samples revealed the following:

Southern
Production Well City
Water

Sample Point	3	6	11	14	18	Southern Production Well	City Water
Acrolein	100	ND	1,000	100	1,000	ND	ND
Acrylonitrile	ND	ND	17	ND	9	ND	ND
Benzene	30	7	14,000	10	90	ND	ND
Chloroform	ND	1	ND	10	ND	ND	27
Dibromomethane	ND	ND	ND	ND	ND	ND	ND
1,2-Dichloroethane	ND	ND	480	ND	13	ND	2
1,1-Dichloroethane	1	ND	ND	ND	ND	ND	ND
Trans-1,2-Dichloroethane	ND	380	100,000	10	800	ND	ND
1,2 Dichloropropane	ND	ND	ND	ND	ND	ND	ND
Ethylbenzene	2	ND	899	1	15	ND	ND
Methylene Chloride	15	15	200	70	ND	30	40
1,1,2,2-Tetrachloroethane	ND	ND	3,000	25	140	ND	ND
1,1,2,2-Tetrachloroethylene	ND	ND	180	ND	23	ND	ND
1,1,1-Trichloroethane	ND	ND	2	ND	ND	ND	ND
Toluene	900	14	8,000	25	140	ND	ND
1,1,2-Trichloroethylene	ND	ND	300	ND	45	ND	ND
Phenol	67.2	ND	ND	ND	ND	ND	ND
Propylbenzene	ND	ND	ND	ND	ND	ND	ND
Fluoranthene	ND	210	ND	ND	ND	ND	ND
Bromodichloromethane	ND	ND	5	ND	ND	ND	ND
1,1-Dichloroethylene	ND	ND	130	ND	ND	ND	ND

Sample Point	3	6	11	14	18	Southern Production Well	City Water
Methylene Bromide	ND	ND	160	ND	ND	13	ND
Heptane	ND	ND	ND	ND	ND	ND	ND
m,p-xylene	ND	ND	ND	ND	ND	ND	ND
O-xylene	ND	ND	ND	ND	ND	ND	ND
Chlorobenzene	19	ND	310	ND	18	ND	ND

All data expressed as parts per billion.

- On January 5, 1981, NJDEP directed UOP to secure the services of a professional hydrogeological consultant to conduct an environmental assessment of the site and submit a ground water decontamination and containment plan. In response to this Directive, UOP secured the services of Ground Water Technology, Inc. (GWT), a professional hydrogeological consultant, to conduct the required investigation.
- On July 2, 1981, DWR sampled the company's shallow monitoring well Nos. 3, 14, 17, and 18 and deep monitoring well Nos. 1, 2, 3, 4, 5, 6 and 7. The analytical results of DWR samples revealed the following:

Shallow Monitoring Wells:

Well No.	14	17	17*	18	18*	3
Organic Scan (ppb):						
1,2-dichloroethane	10K	96	130	10K	10K	10K
Trichloroethylene	10K	190	230	48	59	10K
Benzene	10K	2,300	2,500	10K	10K	10K
Tetrachloroethylene	10K	10K	10K	18	23	10K
Toluene	10K	1,900	2,400	10K	10K	65
Ethyl benzene	10K	360	310	10K	10K	10K
Total Xylenes	10K	980	860	10K	10K	10K

*duplicate analyses

K - less than

Deep Monitoring Wells:

Well No.	1	2	3	4	5	6	7
Organic Scan (ppb):							
Chloroform	60	10K	24	10K	10K	10K	10K
Trichloroethylene	99	10K	10K	11	10K	10K	10K
Toluene	34	10K	10K	10K	10K	10K	10K
Total Xylene	10K	10K	10K	10K	10K	10K	10K

7. NJDEP received a report from UOP entitled, "Preliminary Hydrogeological Investigation of Former UOP Chemical Division Plant Site in East Rutherford, New Jersey" dated July 29, 1981 which was prepared by GWT. A review of this report by NJDEP found it to be deficient and inaccurate in its assessment of possible environmental and health effects and substantially failed to address remedial measures to abate contamination of the site.
8. The discharge to the State's ground water by UOP as confirmed by the FINDINGS in paragraphs 3, 4 and 6 is in violation of the NJ Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.

ORDER

NOW THEREFORE IT IS ORDERED THAT:

9. UOP shall within forty five (45) days from the date of this ORDER determine the nature and extent of pollution on its East Rutherford site by implementing the following monitoring program:

A. Shallow Aquifer Monitoring:

- (1) UOP shall install nine (9) shallow wells on the site. Two of the nine wells will be replacements of previously drilled wells (MW-6 and MW-11). One well will be located upgrade of the contaminated area to serve as a "control well." Another well will be drilled between the old "sanitary" landfill and Berry's Creek, east of Murray Hill Parkway. The remaining five wells will be located between existing wells and Ackerman's Creek. UOP shall contact Mr. Steve Johnson of the Bureau of Ground Water Management (609) 292-0668 two (2) weeks in advance of the date of installation so that he may be present to finalize the well locations in the field.

The wells are to be drilled as per DWR monitoring well specifications by a New Jersey licensed well driller and the appropriate permits obtained from DWR Water Allocation Unit (609) 984-6831.

- (2) UOP shall take soil samples during well drilling which shall be collected to the depth where static water is reached. These samples will be collected using a split spoon sampler at one foot intervals (0-1', 1-2'...). In addition, should any visible core contaminants be observed, a sample will be collected for analysis. Soil samples should be analyzed at a laboratory certified by NJDEP for the following classes of compounds:

- volatile organics
- acid extractables
- base/neutral extractables
- PCB's
- heavy metals

Organic analyses shall be performed by a laboratory which can identify unknown compounds. Results of analysis shall be submitted to the Department as soon as it is received.

- (3) UOP shall sample the shallow wells within twenty (20) days after installation of said wells in accordance with DWR sampling methodologies. The wells shall be sampled monthly for three months. After the initial sampling program, DWR will review the analytical results and modify the sampling schedule accordingly. Samples shall be collected during a falling tide and shall be analyzed at a laboratory certified by NJDEP for the priority pollutants. Quality assurance reports must accompany all results.

B. Surface Water Monitoring:

- (1) UOP shall sample seven (7) sampling sites along Ackerman's Creek and Berry's Creek. UOP shall contact Mr. Hank Garie of the Office of Cancer & Toxic Substance Research (OCTSR) at (609) 984-4661 to finalize the sampling site in the field.
- (2) UOP shall collect grab samples of water and stream sediment at each site on a monthly basis for three (3) months. Samples will be collected on a falling tide at the same time the wells are sampled. During the sampling period, two samples are to be collected during storm (runoff) conditions. All samples will be collected in accordance with NJDEP methodologies for collecting surface water and sediment samples. Samples shall be analyzed at a laboratory certified by NJDEP for the following:

Water - volatile organic compounds
base/neutral extractables
PCB's
heavy metals

Sediment - base/neutral extractables
acid extractables
PCB's
heavy metals

C. Identification of Landfills and/or Lagoon

- (1) UOP shall provide information on the location of all landfills and their contents on or beneath UOP's property. The locations and contents shall be determined by a thorough and comprehensive investigation into the history of past disposal practice on the site. NJDEP may require further testing and analysis based upon the submitted information.
10. UOP shall submit a consolidated report of the monitoring program within four (4) months from the receipt of the monitoring results. Said report must evaluate the site's ground water quality, sources of ground water contamination and surface water contamination from the discharge of the shallow aquifer into Ackerman's Creek. The report shall set forth a site evaluation and recommend a course of action for the resolution of any problems noted.
11. NOTICE IS HEREBY GIVEN that pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 58:10A-10(b) UOP is entitled to a hearing before the Department on issues of fact relating to this ORDER. Any hearing request must be delivered to the address below within twenty (20) business days from receipt of this ORDER. The request should be mailed to:

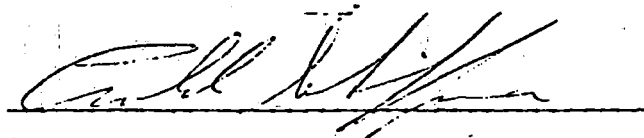
Mr. Peter T. Lynch, Chief
Region I
Enforcement and Regulatory Services Element
Division of Water Resources
1100 Raymond Boulevard, Room 510
Newark, New Jersey 07102
12. NOTICE IS FURTHER GIVEN that pursuant to N.J.S.A. 52:14B-1(b) (4) and N.J.A.C. 15:15-10.2 (b) (4), the applicant shall furnish the Department with a definite and detailed statement of the matters it will assert in the requested hearing. Specifically, it is requested that:
 - (1) UOP specify which, if any of the FINDINGS OF FACT set forth are denied; and
 - (2) UOP specify that portion of the Order paragraphs 9 through 10, which aggrieves UOP.

13. NOTICE IS FURTHER GIVEN that if no request for a hearing is received within twenty (20) business days, this ORDER shall become final.
14. NOTICE IS FURTHER GIVEN that pursuant to N.J.S.A. 58:10A-10(d), NJDEP is authorized to assess a civil administrative penalty of up to \$5000 for each violation, and additional penalties of up to \$500 for each day during which such violation continues after receipt of an Administrative Order from NJDEP.
15. NOTICE IS FURTHER GIVEN that pursuant to N.J.S.A. 58:10A-10(e) any person who violates this ORDER shall be subject to civil penalties of up to \$10,000 per day for each day of violation.
16. NOTICE IS FURTHER GIVEN that pursuant to N.J.S.A. 58:10A-10(f) willful or negligent violation of N.J.S.A. 58:10A-1 et seq. is a misdemeanor punishable, upon conviction, by criminal penalties of up to \$25,000 per day of violation.
17. NOTICE IS FURTHER GIVEN that UOP, its principals, agents, employees, successors, assigns, tenants and any trustee in bankruptcy, should such an entity be appointed to take control of the facility, shall be bound by the terms of this ORDER.

This ORDER shall be effective upon receipt.

DATE: _____

JUL 27 1982



Arnold Schiffman, Director
Division of Water Resources